SPECIAL ORDINANCE NO. S-06-91

AN ORDINANCE approving the awarding of Reference #1437 by the City of Fort Wayne, Indiana, by and through its Department of Purchasing and SHERWIN INDUSTRIES, INC. for the Street Department.

NOW, THEREFORE, BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA;

SECTION 1. That Reference #1437 between the City of Fort Wayne, by and through its Department of Purchasing and SHERWIN INDUSTRIES, INC. for the Street Department, respectfully for:

the purchase of an asphalt heating machine for the Street Department;

involving a total cost of Twenty-Five Thousand Seven Hundred Fifty and no/100 Dollars (\$25,750.00), all as more particularly set forth in said Reference #1437 which is on file in the Office of the Department of Purchasing, and is by reference incorporated herein, made a part hereof, and is hereby in all things ratified, confirmed and approved.

SECTION 2. That this Ordinance shall be in full force and effect from and after its passage and any and all necessary approval by the Mayor.

Mark E. Glassinta
Councilmember

APPROVED AS TO FORM AND LEGALITY

J. Timothy McCaulay, City Attorney

REF. NO.: 1437

DEPT.: STREET DEPARTMENT

DATE: 1/2/91

ITEM/SERV.: ASPHALT HEAT MACHINE

PURCHASING INFORMATION

ADVERTISED BID: YES

DATES ADVERTISED: 10/22/90 & 10/29/90

OPENING DATE: 11/29/90

WRITTEN QUOTE:

DUE DATE:

VERBAL QUOTE:

SINGLE SOURCE:

NO. OF VENDORS NOTIFIED: 11

NO. OF VENDORS RECEIVING BID: 7

NO. OF VENDORS RETURNING BID: 3

NO. OF VENDORS DISQUALIFIED: 0

NO. OF VENDORS NOT RESPONDING: 8

DATE SENT TO DEPT FOR RECOMM .: 11/29/90

DATE RECOMMENDATION REC'D IN PURCH: 12/27/90

COUNCIL INFORMATION DATES SENT EXTENSION DATES

DATE INFO SENT TO LAW DEPT .: 1/2/91

INTRODUCTION DATE: 1/8/91

DISCUSSION DATE: 1/15/91

PASSAGE DATE: 1/22/91

ORDINANCE NO .:

REFERENCE NO. 1437 ASPHALT HEAT MACHINE STREET DEPARTMENT

DESCRP/ITEM	QTY	SHERWIN IND	REID-HOLCOMB	DEEDS EQUIP
TOTAL DELIVERY TIME VALIDITY MAKE MODEL		\$25,750.00 30 DAYS CRAFCO EZ 200D 200 GAL DIESEL		\$21,989.00 1 WEEK N/B PATCHMAN 2031 SERIES

BID, OFFER OR PROPOSAL FOR SALE OR LEASE OF MATERIALS

(Defined at 1.C. 36-1-2-9.5) (Please type or print)

	Governmental Unit:	City of Ft.	Wayne	Nov. 2	1, 1990		
	County:	Allen Count		222			
	Bidder (Firm):	Sherwin Ind				_	1
	Address:	2129 W. Mon	gan Ave	e.		_	
	City/States	Milwaukee,					
	Telephone Number:	(414) 281-64	00			_	
5,	Agent of Bidder (1)	applicable): Ma	tt Hem	hill		-	~
	to notices given, the n accordance with the tity, unit, unit pri			ch specify fi	Ft. Way	ne (Gov-	
he has not offere said bid. Bidder certified check o	act will be awarded e froms specified wild nor received a lea further agrees that r bond shall be file fract, the bond or c	s price than the p	rice stated	In his bid f	or the materi. Toe in which	er promises the als included in	nt N
				Sign	ature of Bldd	er or Agent	-
		BID OFFER OR	PROPOSAL				
Attach sep	arate sheet listing	each Item bid base	d on speci	Ications pub	I shed by gove	erning body.	
	awhie of the hid to	mar:					The second of
Class or Item	Quantity	Unit	Descrip	tlog	Unit Price		e die militari
			003017	11011	Ulti Frice	Amount	
				7			
					•		
		HOW and I statem					
TATE OF INDIANA		HON-COLLUSION	AFFIDAVIT				
Allen	SS:						
COUNTY)							
intered into any component at such let	Igned bidder or agentive, or agent of the ambination, collustating nor to prevent is made without referry other person in r	n or agreement with any person from bl	orporation h any perso dding nor t	or partnershi	p represented the price to	by him, be bid by	
He further	says that no person rebate, fee, gift,	or persons flows	05 005000	ation has, ha	ve or will red	selve directly	TARY PUR
W1				Sherw	in Indust	ries, Inc	THE PUBLICA
				11/	Blade (Fir	m)// :	34
				Mal	1 Huge	1	
		me this 21		November	ture of Bldder	or Agent	₹ JEFFREY J.
Subscribed y Commission Expir	and sworn to before 12-13-	men trains	day of	O	Jan Q. 1.	Lak 3	KOZIK
ounty of Residence	Milwau	kee, WI		011	HOLDEN POPI	16 2"	TE OF WINCORD
				Notary I	Public Prin	had Maria	Manney
				notary i	dolle billi	ced Name	
		ACCEPTAN					
lasses or Items nu	mbered	ernmental Unit) her and promises to	wby accepts	the terms of	f the attached	bld for	
uoted for the mate	rtals stipulated in	sold bid.	y-1 W				
Contracting	AuthorIty Hembers:			Date:			

FRONT PAGE/INVITATION TO BID DEPARTMENT OF PURCHASING CITY OF FORT WAYNE, ALLEN COUNTY, INDIANA ONE MAIN STREET - ROOM 350 PHONE 219-427-1101

	the state of the s
BID OPENING DATE	1-29-90 @ 11:00 AM BID REFERENCE # 1437
SEALED BIDS SHOULD 350, CITY-COUNTY B DATE.	BE DELIVERED TO DEPARTMENT OF PURCHASING, ROOM UILDING UP TO 11:00 A.M. ON OR BEFORE OPENING
WORKS & SAFETY CON COUNTY BUILDING. "	OPENED PUBLICLY AT 11:01 A.M. IN THE BOARD OF FERENCE ROOM ON THE THIRD FLOOR OF THE CITY-NO LATE BIDS WILL BE ACCEPTED AFTER REASON WHATSOEVER".
THIS INVITATION FOR	BID IS FOR TRAILER MOUNTED, DOUBLE BOILER.
ASPHALT HEATING MAC	HINE FOR JOINT SEALING PER SPECIFICATIONS
AND REQUESTED BY _C	ITY OF FORT STREET DEPARTMENT
THIS BID REQUIRES A	5% BID BOND, CERTIFIED OR CASHIER'S
THIS BID REQUIRES A	100% PERFORMANCE BOND OF SUCCESSFUL
PROMPT PAYMENT DISC IF PAID WITHIN	OUNTS WILL BE ALLOWED AS FOLLOWS: 0 - % DAYS.
	ISSUED TO ESTABLISH A CONTRACT TO SUPPLY THE WITH A COMMODITY OR SERVICE IN ACCORDANCE WITH ICATIONS.
CONDITIONS HEREIN A	F BY THE BIDDER IS ACCEPTANCE OF ALL TERMS AND NO IN THAT REGARD THE BIDDER AGREES TO BE BOUND D TO THE AMOUNT OF HIS/HER BID FOR A PERIOD OF
CORPORATE OFFICE	FIRM NAME Sherwin Industries, Inc.
	STREET ADDRESS 2129 W. Morgan Ave.
	CITY Milwaukee, WI 53221 PHONE # (414)281-6400
	BY Matt Hemphill What Sendell REPRESENTATIVE SIGNATURE
INDIANA OFFICE	Sherwin Industries, Inc. P.O. Box 1 Advance, IN 46102 (317)676-5387

GENERAL DESCRIPTION

This double boiler type melter applicator should be the manufacturer's current production model. This unit should be capable of heating and applying without any further equipment modification all grades of asphalt rubber sealants, specification joint sealants, and fiber modified sealants. The machine shall be capable of starting at ambient temperature and bringing the sealing material up to application temperature in one hour or less. All qualified bidders must have and maintain a complete inventory of repair parts as well as having experienced service personnel for this equipment. A factory trained person shall be made available for initial start-up and training in the operation of the melter.

MINIMUM REQUIREMENT

BIDDER PROPOSAL

FRAME

This unit shall be trailer mounted. The tongue shall be equipped with a suitable towing means, the center of which shall be a minimum of twenty-five (25) inches from the nearest obstruction on the tongue and shall be adjustable in height above ground level from a minimum of fourteen (14) inches, to a maximum of thirty-two (32) inches, permitting practically level towing with a wide range of towing vehicles. The towing hitch shall be bolted to the hitch plate for easy height adjustment and/or conversion of other type hitches.

RUNNING GEAR

The unit shall be equipped with dual ales, each axle to have a safe load capacity of 3,500 pounds, leaf springs, electric brakes. A screw post tongue jack shall be furnished. It shall be heavy duty type with a load capacity of 5,000 pounds and be side mounted for positive road clearance while under tow. The unit shall also be equipped with two (2) safety chains not less than 48 inches long of 3/8" coil-proof, attached to the tongue with a drilled type clevis pin on the end attached to the frame and a screw type clevis pin on the opposite end.

LIGHTS

The unit shall have dual tail lights, stop lights and turn signals. A license plate holder shall be attached to the driver side tail light.

YES	

MINIMUM REQUIREMENT	BIDDER PROPOSAL
HEATING TANK The material heating tank shall have a capacity of 200 gallons minimum at ambient temperature. The jacket shall wrap around 100% of the outside area of the circular material tank and allow for complete circulation of the heated transfer oil.	YES
LOADING HATCH A low profile opening for loading shall be required at the top of the material tank and located on the curb side of the machine for operator safety. The loading height shall not exceed 57 inches for operator convenience. The opening shall be capable of accepting 60 pound blocks of material. The lid shall be hinged and have a shelf to put material on to provide easy anti-splash loading.	YES
INSULATION The heating tank shall be insulated with a minimum of 1-1/2" thick high temperature ceramic insulation and covered by a 22 gauge steel outer wrapper.	YES
COLD SEAL TANK A cold seal tank shall be provided to minimize oil oxidation and prevent moisture condensation into the heat transfer oil.	YES
HEATING The heat transfer oil should be heated by a high efficiency forced air diesel fired burner directly to the bottom of the heat transfer oil tank.	YES
IGNITION OF BURNER Burner shall be lighted via a constant duty high voltage transformer powering an electric spark ignitor. This ignitor shall work in conjunction with a sensor that will detect a lack of burn or ignition and shut down fuel supply in that event. The thermostatic control shall be located on curbside of the	

MINIMUM REQUIREMENT

BIDDER PROPOSAL

PUMPING UNIT AND PIPING

The material pumping unit shall be a positive displacement gear pump, quiet operating efficiency in either direction of rotation. The pump shall be hot oil jacketed for fast heating by being piped with the heat transfer oil circulation pump. All piping and material valves shall be heated by enclosure within the heating chamber. A "T" pipe shall be incorporated into the material plumbing system that will allow for the optional connection of a molasses valve for filling pour-pots with or without utilizing the applicator hose. control handles for opening and closing the recirculation valve, applicator valves, and main tank valve shall be located outside the heating chamber at the rear curb side of the machine for both operator convenience and protection from handling excessively hot control valve handles.

HOSE HEATING CHAMBER

The machine heating chamber, and wand shall be so designed and constructed that under normal day to day operations no clean-out procedure is required. Provision shall be made to attach air hoses for compressed air cleaning after using exceptionally thick and heavy sealants or when preparing the machine for a period of time in storage. Hose heating chamber shall be equipped with a temperature gauge to insure proper regulation of temperature to hose and application wand while in heating chamber. An adjustable damper should be furnished over the flue vent for the . heating chamber. Incorporated in the heating chamber should be hose and applicator wand storage racks with drains in the floor. Doors and side walls are to be 100% insulated. Hinged doors should be lockable and designed to overlap and interconnect and provision shall be made for operation of applicator hose while doors remain closed to insure continuous heating of piping extraneous to the material tank.

YES

MINIMUM REQUIREMENT

BIDDER PROPOSAL

TEMPERATURE CONTROL

The melter applicator shall have a temperature control device with a high temperature limit switch which will automatically shut off the burner if the heat transfer oil reaches 600F. Also two dial type temperature gauges to visually indicate actual temperature of heat transfer oil and material temperature located on the top curbside of the unit. Gauge shall be located at the discharge side of the material pump to positively show the sealant temperature just prior to placement. Melter shall have infinite control of temperature for the broad range of sealants. From a low of 200F up to a high range of 450F.

AGITATION

The sealant material shall be mixed by a hydraulically driven full sweep agitator to insures that the hot material stays in the lower area of the tank and does not get splashed or thrown to the upper areas of the tank where it can collect and build up. The agitator shall rotate in either direction with infinite speed control.

DRIVE AND DRIVE CONTROLS

The motive force to the agitator and the material pump shall be hydraulic motors driven by a single hydraulic pump and flow divider and driven by a two cylinder diesel engine. The drive controls governing the speed and direction of the agitator and material pump shall be by independent 3-way hydraulic with valves pressure compensated flow control spools located at the rear curbside of the machine. The reversing ability of the material pump should allow material to be pumped back through all extraneous piping and into the material tank so as to leave all lines clean and unobstructed when cooling to facilitate start-up upon subsequent use.

ENGINE

Diesel engine with electric start, two cylinders, 3000 rated speed, full flow oil filter and constant speed mechanical governor.

- 5	
YES	
	J
YES	
VEC	
YES	

MINIMUM REQUIREMENT

BIDDER PROPOSAL

SEALANT HOSE AND APPLICATOR WAND Hose should be not less than eighteen feet in length, insulated, rubber coated, steel braid reinforced, and neoprene lined. The hose should be specifically for handling manufactured of petroleum based products up temperatures of 450F at 600 psi. The hand applicator shall be constructed of a light-weight alloy with sufficient strength to stand up to normal day to day operation. It shall have two insulated handles, one of which is connected to a quarter turn ball valve used to control flow of material. The applicator wand shall disconnect in the center allowing for easy storage in the heat chamber. A variety of nozzles must be available and attachable to the applicator wand. The connection between the hose and applicator should be through a 360 degree swivel.

FUEL CAPACITY

The melter shall have a 30 gallon diesel fuel tank minimum for operation of diesel engine and burner.

TOTAL FOR UNIT:
DELIVERY TIME ARO:
VALIDITY OF BID PRICE:
(IN CALENDAR DAYS)
FOB:

MAKE: MODEL:

\$	25,750.00
\$	30 day
\$	3 12 17 12
FORT	WAYNE
	Crafco EZ 200D
	200 Gallon - Diesel

YES



Capitol Indemnity Corporation

(a Stock Company, organized under the laws of Wisconsin)

BID BOND

KNOW ALL MEN BY THESE PRESENTS,

That we,

SHERWIN INDUSTRIES, INC.

2129 West Morgan Avenue, Milwaukee, WI 53221

(hereinafter called

the "Principal"), as Principal, and the Capitol Indemnity Corporation of Madison, Wisconsin a corporation duly organized under the laws of the State of Wisconsin (hereinafter called the "Surety"), as Surety,

are held and firmly bound unto

City of Fort Wayne Purchasing Dept. 1 Main Street, Rm. 350 Fort Wayne, IN

(hereinafter called the "Obligee"), in

the sum of Five Percent of Amount Bid ----- Dollars (\$-5% --), for the payment of which sum well and truly to be made, the said Principal and the said Surety, bind ourselves, our heirs, executors, administrators, successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the Principal has submitted a bid for

Crack Sealing Machine

NOW, THEREFORE, if the Obligee shall accept the bid of the Principal and the Principal shall enter into a Contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract Documents with good and sufficient surety for the faithful performance of such Contract and for the prompt accordance of laborated accordance with the prompt of laborated accordance with the principal shall enter into a contract and for the prompt of laborated accordance with the principal shall enter into a contract and for the principal shall enter into a contract and the principal shall enter into a contract and the principal shall enter into a contract and the principal shall enter into a contract with the Obligee in accordance with the terms of such bid, and give such bond or bonds as may be specified in the bidding or Contract and the principal shall enter into a contract and the contract and the principal shall enter into a contract and the principal shall enter into a contract and the principal shall enter into a contract and the contract and



4610 UNIVERSITY AVENUE, SUITE 1400, MADISON, WISCONSIN 53705-0900 PLEASE ADDRESS REPLY TO P.O. BOX 5900, MADISON, WI 53705-0900 PHONE (608) 231-4450 • FAX (608) 231-3125

POWER OF ATTORNEY

No: 278040

Know all men by these Presents, That the CAPITOL INDEMNITY CORPORATION, a corporation of the State of Wisconsin, having its principal offices in the City of Madison, Wisconsin, does make, constitute and appoint
STANLEY B. STRELKA OR MARY C. WILLIAMSON
its true and lawful Attorney(s)-in-fact, to make, execute, seal and deliver for and on its behalf, as surety, and as its act and deed, any and all bonds, undertakings and contracts of suretyship, provided that no bond or undertaking or contract of suretyship executed under this authority shall exceed in amount the sum of
This Power of Attorney is granted and is signed and sealed by facsimile under and by the authority of the following

Resolution adopted by the Board of Directors of CAPITOL INDEMNITY CORPORATION at a meeting duly called and held on the 5th day of May 1960: "RESOLVED, that the President, and Vice-President, the Secretary or Treasurer, acting individually or otherwise, be and they hereby are granted the power and authorization to appoint by a Power of Attorney for the purposes only of executing and attesting bonds and undertakings, and other

writings obligatory in the nature thereof, one or more resident vice-presidents, assistant secretaries and attorney(s)-in-fact, each appointee to have the powers and duties usual to such offices to the business of this company; the signature of such officers and seal of the Company may be affixed to any such power of attorney or to any certificate relating thereto by facsimile, and any such power of attorney or certificate bearing such facsimile. signatures or facsimile seal shall be valid and binding upon the Company, and any such power so executed and certified by facsimile signatures and facsimile seal shall be valid and binding upon the Company in the future with respect to any bond or undertaking or other writing obligatory in the nature thereof to which it is attached. Any such appointment may be revoked, for cause, or without cause; by any of said officers, at any time."

IN WITNESS WHEREOF, the CAPITOL INDEMNITY CORPORATION has caused these presents to be signed by its officer undersigned and its corporate seal to be hereto affixed duly attested by its Secretary, this 24th day of October, 1988.

Attest:

Virgiline M. Schulte, Secretary

STATE OF WISCONSIN COUNTY OF DANE

CORPORATI

On the 24th day of October, A.D., 1988, before me personally came George A. Fait, to me known, who being by me duly sworn, did depose and say: that he resides in the County of Dane, State of Wisconsin; that he is the President of CAPITOL INDEMNITY CORPORATION, the corporation described in and which executed the above instrument; that he knows the seal of the said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

STATE OF WISCONSIN COUNTY OF DANE



Jeffrey Wrolstad Notary Public, Dane Co., WI My Commission is Permanent

CAPITOL INDEMNITY CORPORATION

I, the undersigned, duly elected to the office stated below, now the incumbent in CAPITOL INDEMNITY CORPORATION, a Wisconsin Corporation, authorized to make this certificate, DO HEREBY CERTIFY that the foregoing attached Power of Attorney remains in full force and has not been revoked; and furthermore, that the Resolution of the Board of Directors, set forth in the Power of Attorney is now in force.

Signed and sealed at the City of Madison. Dated the

day of

CORPORATE

This power is valid only if the power of attorney number printed in the upper right hand corner appears in red. Photocopies, carbon copies or other reproductions are not binding on the company. Inquiries concerning this power of attorney may be directed to the Bond Manager at the Home Office of the Capitol Indemnity Corporation.

Read the first time in full and seconded by Jakura, and title and referred to the Committee on City Plan Commission for recommendation	duly adopted, read the second time
City Plan Commission for recommendation due legal notice, at the Council Conference Wayne, Indiana, on	_, the, da
DATED: 1-8-91	Sandra & Sense
Read the third time in full and seconded by passage. PASSED TOSE by the following passage.	nd duly adonted a
TOTAL VOTES 9	ABSTAINED ABSENT
BRADBURY	
BURNS	
EDMONDS.	
GiaOUINTA	
HENRY	
LONG	
REDD	
SCHMIDT	
TALARICO	
DATED: 1-22-51	SANDRA E. KENNEDY, CITY CLEKE
Passed and adopted by the Common	Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPR	
(SPECIAL) (ZONING NOD)	
on the 22 nd day of	RESOLUTION NO. 15-06 /
on the 22 nd day of ATTEST Sandra E. KENNEDY, CITY CLERK	, 19 <u>9</u> ,
Sandra f. Jennedy	Samuel 1 To
	- EDITOTING OF BACER
Presented by me to the Mayor of	the City of Fort Wayne, Indiana, on
the all day of far at the hour of	, 199
dt the hour of	clock M., E.S.T.
	Sandra F. Lennedy
	SANDRA E. KENNEDY L CITY CLERK
Approved and signed by me this	28th day of January
19 11, at the hour of 3:30	_0'clock M., E.S.T.
	1411
	PAUL HELMKE, MAYOR

DIGEST SHEET

TITLE OF ORDINANCE: Special

DEPARTMENT REQUESTING ORDINANCE: Purchasing

IF NOT LOWEST, WHO WAS AND WHY WERE THEY NOT AWARDED:

Reid-Holcomb was low vendor - per Buck of their Company, machine they bid could not handle the products we will use.

Deeds Equipment was next low - per Dan Brennan of their Company, they cannot be sure their machine can handle our products.

EFFECT OF PASSAGE: This will be used to seal cracks in asphalt and concrete streets.

IF REPLACEMENT, WHAT NECESSITATES: N/A

EFFECT OF NON-PASSAGE: Streets will deteriorate due to moisture getting under them through the cracks in the surface.

PRIOR APPROVAL REQUESTED:

MONIES INVOLVED: Sherwin Ind \$25,750.00

PRICE AGREEMENT:

PURCHASE ORDER: Yes

SOURCE OF FUNDING: Street Dept 128-128-1201-4444

PRIOR APPROVAL: DATE:

REPORT OF THE COMMITTEE ON FINANCE

MARK E. GiaQUINTA, CHAIRMAN DONALD J. SCHMIDT, VICE CHAIRMAN BRADBURY, REDD, BURNS

WE, YOUR COMMITTEE ON_	**		(1) 12
REFERRED AN (ORDINANCE of Reference #1437 b through its Departme) (RESOLUTION)_	approving	the awarding
of Reference #143/ b	y the City of Fort	wayne, Ind	TADUCTOTES
INC. for the Street	nt or Purchasing ar	IG SHERWIN	INDUSTRIES,
INC. 101 the Street	Depar therrt	•	
			4
HAVE HAD SAID (ORDINAN	CE) (RESSEUTION	UNDER CO	NSIDERATION
AND BEG LEAVE TO REPOR	T BACK TO THE COMM	ON COUNCIL	THAT SAID
(ORDINANCE) (RESQEM	TIQN)		
DO PASS / / DO	NOT PASS	ABSTAIN	NO REC
11 1.9 4.1. 1			
// full (/ on June			
TURO IS de			
Alphanous -			
The Market			
and minder			
ANO- Y			
Albert Brown			
11 more () a +1 formers			
			-
DATED: /-22-91.			